

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 13, 2007

DIVISION TWO

B185363 Robynaire, Inc., et al. (Not for Publication)
 v.
 Cutter Aviation Santa Monica, Inc.

The amended judgment is affirmed. Appellant shall pay the costs of appeal.

Chavez, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

B186916 People (Not for Publication)
 v.
 Wright

The judgment is affirmed. The superior court is directed to amend the abstract of judgment to remove any reference to a parole revocation fine pursuant to section 1202.45 and to send a corrected copy of the abstract to the California Department of Corrections and Rehabilitation.

Chavez, J.

We concur: Boren, P.J.
 Ashmann-Gerst, J.

September 13, 2007 (Continued)

DIVISION TWO (continued)

B195099 People (Not for Publication)
v.
Bernier

The judgment is affirmed.

Chavez, J.

We concur: Doi Todd, Acting P.J.
Ashmann-Gerst, J.

B191335 People (Not for Publication)
v.
Flores

The judgment is affirmed.

Chavez, J.

We concur: Doi Todd, Acting P.J.
Ashmann-Gerst, J.

DIVISION THREE

B195931 L.A. Co. Dept. of Children & Family Svcs. (Not for Publication)
v.
Aura S.

The order is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (continued)

B189630 City of Santa Monica, et al. (Not for Publication)
v.
City of Los Angeles

The judgment is reversed with directions to the superior court to issue a peremptory writ of mandate, consistent with is opinion, directing the City to (1) vacate its approvals of the project and its certification of the EIR; (2) revise the analysis of land use impacts in the EIR; (3) revise the EIR to discuss preservation in place in accordance with Guidelines section 15126.4, subdivisions (a)(1)and (b)(3); and (4) revise the EIR to identify the intended and likely measures to dispose of the project's wastewater and analyze the environmental impacts of employing those measures to dispose of the wastewater generated by the project, including any cumulative impacts to the Santa Monica Bay. All construction activities on the project by any person are hereby ordered to be stayed effective immediately. The superior court is directed to issue an order enjoining all project activities that it finds would prejudice the City's consideration or implementation of mitigation measures or alternatives and that could result in an adverse change to the physical environment, until the City fully complies with CEQA. The stay issued herein will expire, without further order by this court, upon entry of such an order by the superior court. Petitioners and BEEP are entitled to recover their costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

September 13, 2007 (Continued)

DIVISION THREE (continued)

B190279 People (Not for Publication)
v.
Jose Luis Barajas

The four-year term imposed on count 2 under section 12022.5 is stricken. The Clerk of the Superior Court is directed to amend the abstract of judgment and to forward the amended abstract of judgment to the Department of Corrections. The judgment is affirmed as modified.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FOUR

B195590 People (Not for Publication)
v.
Rose

The judgment is affirmed.

Suzukawa, J.

We concur: Epstein, P.J.
Willhite, J.

September 13, 2007 (Continued)

DIVISION FOUR (continued)

B195465 People (Not for Publication)
v.
Buffington

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.
Suzukawa, J.

DIVISION FIVE

B188116 People (Not for Publication)
v.
Michael Harling

The Penal Code sections 186.22 and 12022.53 enhancements are reversed. The matter is remanded for resentencing and modification of the sentence as discussed in the body of this opinion. The judgment is further modified to reflect defendant is subject to two additional Penal Code section 1465.8, subdivision (a) court security fees and he is entitled to one additional day of presentence credit. The judgment is affirmed in all other respects.

Turner, P.J.

We concur: Armstrong, J.
Kriegler, J.

DIVISION SIX

B190630 Katsura
v.
City of San Buenaventura

Filed order certifying opinion for publication.

DIVISION SIX (continued)

B195430 Sondermann Ring Partners-Ventura Harbor
v.

City of San Buenaventura

B197323 Sondermann Ring Partners-Ventura Harbor
v.

City of San Buenaventura

Filed order consolidating above captioned appeals.

DIVISION EIGHT

B198659 Coalition To Save The Marina,
v.

County Of Los Angeles et al.,

Filed order granting motion to dismiss appeal. (Appeal filed April 25, 2007) dismissed.

B191334 Bourgoyne
v.

Chong et al.

Filed order denying petition for rehearing.

B191271 Smith et al.,
v.

Vista Behavioral Health Plan Inc., et al.,

Filed order denying petition for rehearing.